

REMARKS

Applicants reply to the Office Action mailed on January 29, 2007 within the shortened statutory three month period for reply. Claims 1-67 were pending in the application and the Examiner rejects claims 1-67. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

Rejections Under 35 U.S.C. § 103

The Examiner rejects claims 1-56, 58, 60, 62, 64-67 under 35 U.S.C. § 102(e) as being anticipated by Deaton et al., U.S. Patent No. 6,292,786 ("Deaton"). Applicants respectfully traverse the rejection.

Deaton generally discloses a system to enable product manufacturers to generate and present incentives in real-time at the point of sale (POS). The Deaton system receives product purchase information from a retailer POS. The product purchase information includes a Universal Product Code (UPC), product price, a customer identification code, and the like. The manufacturer must be heavily involved in each transaction by determining whether to offer an incentive to each customer based on the particular purchase information. In the Deaton system, the manufacturer must create an incentive and transmit it to the retail POS so that the customer can receive benefit of the incentive before the sale is consummated.

Deaton seeks to overcome the disadvantages of prior art marketing methods, wherein incentives are offered based on survey related information. Such prior art methods are only able to provide manufacturers with information that would have been beneficial to their marketing efforts had the information been known earlier. Thus, the Deaton system enables the manufacturer to generate and offer incentives based on real-time information as provided by retailers. Because Deaton provides incentives at the POS, the customer is already in the process of facilitating the purchase. The earliest processing point that Deaton discloses receiving a UPC is during the sales transaction. The POS transmits the UPC along with other purchase data to the UPC server. However, Deaton does not disclose how the Deaton system determines to which manufacturer to send the UPC code. In fact, it appears that the Deaton system would only work with one manufacturer's UPC codes since all information is always sent to the same manufacturer.

Those of ordinary skill in the art will appreciate that a UPC is defined by the manufacturer. Therefore, in order to know who the manufacturer is, it is vital that the server be provided with UPC codes from various participating manufacturers in advance, so the server can make the determination. However, a system which receives and stores UPC codes from various manufacturers is not disclosed by Deaton. As such, Deaton does not disclose or suggest at least, "receiving and storing manufacturer item identifiers, wherein said manufacturer item identifiers are received from a manufacturer," as similarly recited by independent claims 1, 15, 29, 42, 55, 56, 58, 60, 62, and 64-67.

Claims 2-14, 16-28, 30-41, and 43-54 variously depend from independent claims 1, 15, 29, 42, 55, 56, and 58. As such, dependent claims 2-14, 16-28, 30-41, and 43-54 are allowable for at least the reasons set forth above, as well as in view of their own respective features.

Rejections Under 35 U.S.C. § 103

The Examiner rejects claims 57, 59, 61, and 63 under 35 U.S.C. § 103(a) as being unpatentable over Deaton in view of Official Notice. Applicants respectfully traverse the rejection.

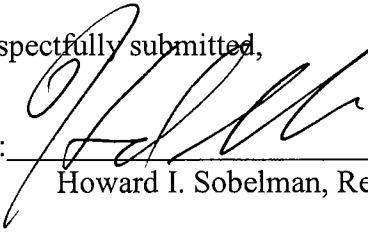
Claims 57, 59, 61, and 63 variously depend from independent claims 56, 58, 60, and 62. As such, dependent claims 57, 59, 61, and 63 are allowable for at least the reasons set forth above with respect to the cited reference, as well as in view of their own respective features.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. Applicants invite the Office to telephone the undersigned if the Examiner has any questions regarding this Reply or the present application in general.

Date: April 27, 2007

Respectfully submitted,

By:


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